

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 2:21-cr-25-KS-MTP

MITCHELL "CHAD" BARRETT

AMENDED FINAL ORDER OF FORFEITURE

Before this Court is the United States of America's Motion for an Amended Final Order of Forfeiture [35]. Having reviewed the Government's motion, this Court finds that it is well taken and should be GRANTED. In support of its ORDER, the Court finds as follows:

After entering an Agreed Preliminary Order of Forfeiture [20], the Court entered a Final Order of Forfeiture [34], which ordered Mitchell "Chad" Barrett ("Barrett") to forfeit the following property to the United States pursuant to 18 U.S.C. § 982(a)(1) and (b), and 21 U.S.C. § 853(p):

Criminal Forfeiture Identifier	Identifier from parallel Civil Case <i>United States v. Real Property Located at 19 Crane Park, 2:18- cv-165</i>	Asset Description
A6	A-016	\$2,439.64 of the \$5,228.32 seized from Bancorp account number 75113324, an account in the name of World Health Jets, LLC. (16-DCI-000080)
B1	B-004	Approximately \$9,442.78 currently being held in the USDOJ Seized Asset Deposits Fund that represents the net proceeds of the 2014 Mercedes Benz E350, VIN WDDHF5KB8EA888307, Tag MS HRY613, with all attachments thereon, registered to RX Pro of Mississippi, Inc. (16-FBI-001425)

B5	B-010	Approximately \$1,525.78 currently being held in the USDOJ Seized Asset Deposits Fund that represents the net proceeds of the 2012 Mercedes Benz ML3, VIN 4JGA5HB6CA023861, Tag MS HSG642, with all attachments thereon, registered to Farm007, LLC. (16-FBI-001426)
C2	C-009	All but \$44,269.00 of the equity 4944 Hickory Shores Blvd., Gulf Breeze, Florida, Santa Rosa County, titled to Chad and Jonnita Barrett. (16-DCI-000126). Further described as: Lot 12 and West ½ of 13, Hickory Shores NO 3, a subdivision of a portion of Section 24, Township 2 South, Ranger 28 West, according to the plat thereof, recorded in Plat Book A, Page(s) 59, or the Public Records of Santa Rosa County, Florida.
C3 and part of C4	C-010 and part of C-011	All but \$15,868.00 of the approximately \$404,870.65 currently being held by the escrow agent that represents the net proceeds of the sale of: (a) 132 Dunleith Way, Clinton, Mississippi, Hinds County, formerly titled to Brew Barr LLC and 132 Dunleith Way, LLC (16-DCI-000127); and (b) Lot 18, Dunleith Way, Clinton, Mississippi, Hinds County (Parcel 2980-208-518), formerly titled to Brew Barr LLC and 132 Dunleith Way, LLC (16-DCI-000129).
C4	C-011	Approximately \$13,250.02 currently being held by the escrow agent that represents the net proceeds of the sale of Lot 16 (Parcel 2980-208-516) Dunleith Way, Clinton, Mississippi, Hinds County, formerly titled to Brew Barr LLC and 132 Dunleith Way, LLC. (16-DCI-000128)
C5	N/A	105 Bonnabel Place, West Monroe, Louisiana, titled to 3TAL LLC. Lot 20 of Bienville Estates, a residential subdivision situated in the East ½ Section 11, Township 18 North, Range 2 East, Ouachita Parish, Louisiana as per plat in Plat Book 19, at Page 21, records of Ouachita Parish, Louisiana.

The Court also imposed a forfeiture money judgment in the amount of \$25,272,945.63, representing the amount obtained by the Defendant, directly or indirectly, from the offenses of conviction. Finally, the Court preliminarily forfeited the following four assets as substitute

assets, under 21 U.S.C. § 853(p), 18 U.S.C. § 982(b)(1), and 28 U.S.C. § 2461(c), in partial satisfaction of the money judgment entered against Defendant:

Criminal Forfeiture Identifier	Identifier from parallel Civil Case <i>United States v. Real Property Located at 19 Crane Park, 2:18- cv-165</i>	Asset Description
A6	A-016	\$2,788.68 of the \$5,228.32 seized from Bancorp account number 75113324, an account in the name of World Health Jets, LLC. (16-DCI-000080)
A Portion of C2	C-009	The remaining \$44,269.00 in equity in 4944 Hickory Shores Blvd., Gulf Breeze, Florida, Santa Rosa County, titled to Chad and Jonnita Barrett. (16-DCI-000126)
A Portion of C3 and part of C4	C-010 and part of C-011	The remaining \$15,868.00 in equity in (a) 132 Dunleith Way, Clinton, Mississippi, Hinds County, formerly titled to Brew Barr LLC and 132 Dunleith Way, LLC (16-DCI-000127); and (b) Lot 18, Dunleith Way, Clinton, Mississippi, Hinds County (Parcel 2980-208-518), formerly titled to Brew Barr LLC and 132 Dunleith Way, LLC (16-DCI-000129).
N/A	N/A	300 Willow Creek Drive, Vicksburg, MS 39180, titled to Mitchell C. Barrett and Jonnita B. Barrett (22-DCI-000033) Begin at the Northwest corner of Lot 45, Willow Creek Subdivision, Part 2, as recorded in plat in Plat Book 3, Page 4 of the Land Records of Warren County, Mississippi; thence run North 63° 53' East a distance of 174.80 feet; thence North 41° 01' East a distance of 298.39 feet; thence due North a distance of 88.01 feet, more or less, thence North 81° 00' West a distance of 357.33 feet, more or less, thence South 40° 00' West distance of 100.24 feet, more or less, to a point located on the West aide of a power line and the East side of a street; thence South 02° 47' East a distance of 27.01 feet; thence around a curve of 12.94° to a point lying South 03° 40' West a distance of 105.05 feet; thence South 10° 06' West a distance of 12.05 feet; thence around a curve of 37.07° to a point lying South 07° 49' East a distance of 79.79 feet; thence South 25° 45'

		East a distance of 55.09 feet; thence around a curve of 9.35° to a point lying South 21° 05'. East a distance of 103.78 feet to the point of beginning, and containing 2.89 acre of land and is located in Section 18, Township 16 North, Range 5 East, Warren County, Mississippi.
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Notice of Criminal Forfeiture of the **Subject Property** was posted on an official government internet site (www.forfeiture.gov) for at least 30 consecutive days, ending on June 1, 2022, as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions. *See* Ex. A, Proof of Publication [33-1]. The United States asserts that starting on or about May 10, 2022, attempt was made to send direct notice of forfeiture to all known potential claimants by certified mail, which advised them of their right to petition the Court thirty (30) days from either receipt of notice or the last day of publication for a hearing to adjudicate the validity of their alleged legal interest in the **Subject Property**. *See* Ex. B, Proof of Service [33-2].

The United States received no petitions other than that filed by Jonnita Barrett [28] which was resolved with a Settlement Agreement [29]. The United States had previously entered a Stipulated Settlement Agreement with L&W Supply, Inc. in the related civil case. *See 19 Crane Park*, 2:18-cv-165, Stipulated Settlement Agreement, ECF No. 139-1. As no other person or entity filed a claim to any of the assets and the deadline for doing so has expired, any other third-party interests are barred by failure of those parties to file a timely petition. The United States has agreed to pay fees or property taxes due and owing on the **Subject Property** to the appropriate state or local taxing authorities when the properties are sold. Accordingly, any and all interests—other than those settled with Jonnita Barrett and L&W Supply, Inc., and those held by the property taxing authorities—held against any of the **Subject Property** are hereby set

aside for failure to file a proper claim. This Order may be used to perfect title and deed to subsequent purchasers.

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

1. The Defendant Mitchell “Chad” Barrett had an interest in the **Subject Property** that is subject to forfeiture pursuant to 18 U.S.C. § 982(a)(1) and (b), and 21 U.S.C. § 853(p).

2. The Government has established that the initial date of the criminal conduct was March 8, 2012, and therefore, the Government’s interest in the **Subject Property** vested as of that date.

3. Final forfeiture judgment against the **Subject Property** including a money judgment of \$25,272,945.63, recognizing Jonnita Barrett’s and L&W Supply Inc.’s respective claims, is hereby entered pursuant to 18 U.S.C. § 982(a)(1), as follows:

Criminal Forfeiture Identifier	Portions To Be Forfeited	Portions To Be Released To Claimant Jonnita Barrett (“JB”)
A6	\$5,228.32 seized from Bancorp account number 75113324, an account in the name of World Health Jets, LLC. (16-DCI-000080), with \$2,439.64 directly forfeitable and \$1,394.34 forfeitable as a substitute asset	\$1,394.34 as JB’s 50% share in clean money in A6
B1	Approximately \$9,442.78 currently being held in the USDOJ Seized Asset Deposits Fund that represents the net proceeds of the 2014 Mercedes Benz E350, VIN WDDHF5KB8EA888307, Tag MS HRY613, with all attachments thereon, registered to RX Pro of Mississippi, Inc. (16-FBI-001425)	N/A
B5	Approximately \$1,525.78 currently being held in the USDOJ Seized Asset Deposits Fund that represents the net proceeds of the 2012 Mercedes Benz	N/A

	ML3, VIN 4JGA5HB6CA023861, Tag MS HSG642, with all attachments thereon, registered to Farm007, LLC. (16-FBI-001426)	
C2	<p>The remaining \$44,269.00 in equity in 4944 Hickory Shores Blvd., Gulf Breeze, Florida, Santa Rosa County, titled to Chad and Jonnita Barrett. (16-DCI-000126), with all but \$44,269.00 of the net proceeds of the sale of C2 is directly forfeitable; \$22,134.50 forfeitable as a substitute asset</p> <p>4944 Hickory Shores Blvd., Gulf Breeze, Florida, Santa Rosa County, titled to Chad and Jonnita Barrett. (16-DCI-000126). Further described as:</p> <p>Lot 12 and West ½ of 13, Hickory Shores NO 3, a subdivision of a portion of Section 24, Township 2 South, Ranger 28 West, according to the plat thereof, recorded in Plat Book A, Page(s) 59, or the Public Records of Santa Rosa County, Florida.</p>	\$22,134.50 as JB's 50% share in clean money in C2
C3 and C4	All but \$15,868.00 of the net proceeds of the sale of C3 and C4; \$7,934.00 forfeitable as a substitute asset	\$7,934.00 as JB's 50% share in clean money in C3 and C4
C5	<p>105 Bonnabel Place, West Monroe, Louisiana, titled to 3TAL LLC.</p> <p>Lot 20 of Bienville Estates, a residential subdivision situated in the East ½ Section 11, Township 18 North, Range 2 East, Ouachita Parish, Louisiana as per plat in Plat Book 19, at Page 21, records of Ouachita Parish, Louisiana.</p>	N/A

<p>300 Willow Creek</p>	<p>50% of the net proceeds of the sale of 300 Willow Creek forfeitable as a substitute asset</p> <p>300 Willow Creek Drive, Vicksburg, MS 39180, titled to Mitchell C. Barrett and Jonnita B. Barrett (22-DCI-000033)</p> <p>Begin at the Northwest corner of Lot 45, Willow Creek Subdivision, Part 2, as recorded in plat in Plat Book 3, Page 4 of the Land Records of Warren County, Mississippi; thence run North 63° 53' East a distance of 174.80 feet; thence North 41° 01' East a distance of 298.39 feet; thence due North a distance of 88.01 feet, more or less, thence North 81° 00' West a distance of 357.33 feet, more or less, thence South 40° 00' West distance of 100.24 feet, more or less, to a point located on the West aide of a power line and the East side of a street; thence South 02° 47' East a distance of 27.01 feet; thence around a curve of 12.94° to a point lying South 03° 40' West a distance of 105.05 feet; thence South 10° 06' West a distance of 12.05 feet; thence around a curve of 37.07° to a point lying South 07° 49' East a distance of 79.79 feet; thence South 25° 45' East a distance of 55.09 feet; thence around a curve of 9.35° to a point lying South 21° 05'. East a distance of 103.78 feet to the point of beginning, and containing 2.89 acre of land and is located in Section 18, Township 16 North, Range 5 East, Warren County, Mississippi.</p>	<p>Up to \$22,755.50 to L&W Supply, to be paid after the deduction of the government's expenses—including the payment of property taxes—relating to seizure, maintenance, custody and disposal of 300 Willow Creek;</p> <p>50% of the remaining net proceeds of the sale of 300 Willow Creek as JB's 50% share in 300 Willow Creek</p>
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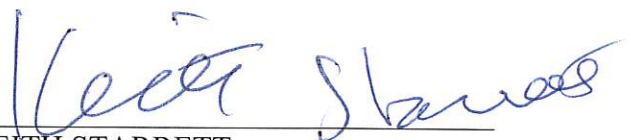
The realized net equity of the **Subject Property** shall offset the existing money judgment of \$25,272,945.63, consistent with the Order [34] of this Court entered September 28, 2022.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all right, title, and interest to the **Subject Property** is hereby condemned, forfeited, and vested in the United States of America. The United States shall forthwith take free and clear title to the **Subject Property**. As to any real property comprising the **Subject Property**, the United States is hereby vested ownership in fee simple absolute, and this order shall be entered upon the land record in accordance with state law and indexed as if it were a Deed unto the United States of America. The United States shall hereafter dispose of the **Subject Property** according to law, and disbursing payments as noted in this Order; and

IT IS FURTHER ORDERED that the United States District Court shall retain jurisdiction in the case for the purpose of enforcing this Order.

IT IS FURTHER ORDERED that the United States District Court shall amend this Order, as needed.

SO ORDERED, ADJUDGED, AND DECREED this 7th day of December 2022.



KEITH STARRETT
UNITED STATES DISTRICT JUDGE